

### **REMARKS/ARGUMENTS**

This is further to a telephone interview with Examiner Elve on May 10, 2007.

With a view to better distinguishing the invention from the prior art, the claims are being amended to incorporate, in effect, the feature of the recirculation line for the second reactant flow and a purge arrangement for the second reactant into the main or independent claims to the fuel cell system (claim 1 and the method claim 10). In effect, this is achieved by incorporating the subject matter of claim 3 into claim 1 and the subject matter of claim 12 into claim 10.

Consequential minor amendments are being made to the dependencies of claims 4, 13 and 26. Additionally, a correction is being entered to the dependency of claim 18.

It can also be noted that a minor editorial correction has been made to claim 9.

The present invention and the prior art were discussed with Examiner Elve, and for this reason, no further detailed analysis and arguments are submitted in this paper. Briefly, it is submitted that the Meltzer reference '113, is silent on the issue of providing for additional flow on both the anode and cathode sides to overcome flooding conditions; additionally, the Meltzer '113 is silent on the issue of providing recirculation on the second reactant or fuel side and purging to assist in clearing a flooding condition.

Accordingly, early review and allowance are requested.

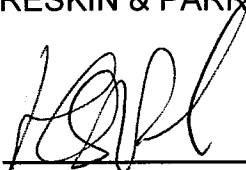
#### **Extension of Time**

It is not clear whether an extension of time is required at this stage. The Notice of Appeal was filed January 24, 2007, so that the unextended term for filing the Appeal Brief expired March 24, 2007. As this paper is not yet the formal Appeal Brief, it

is not clear if an extension of time is required. If a two-month extension to May 24, 2007 is necessary at this time, please charge the fee of \$450.00 to our deposit account number 022095.

Respectfully submitted,

BERESKIN & PARR

By 

H. Samuel Frost  
Reg. No. 31,696  
Tel: 416-364-7311